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Henna Fabritius

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5576

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7590

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EXAMINER

PHANTANA ANGKOOL, DAVID

ART UNIT

PAPER NUMBER

2175

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Rule 312 Communication	Application No.	Applicant(s)
	10/723,283	FABRITIUS, HENNA
	Examiner	Art Unit
	David Phantana-angkool	2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 12 August 2010 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

The amendments filed on 08/12/2010 will not be entered. While the Office agrees that that the image conversion may be performed by the UI controller instead of the CPU in a conversation dated Aug. 9^t, it is noted that the claim amendments, deleting "a processor", direct independent claim 15 towards a non-statutory subject matter. Since independent claim 15 is an apparatus claim and both "a detector" and "a controller" can be interpreted as software per se, deleting "a processor" will raise a non-statutory subject matter issue.

/William L. Bashore/
Supervisory Patent Examiner, Art Unit 2175

/David Phantana-angkool/
Examiner, Art Unit 2175